

08-13-01

Box / Sequence A

NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)

☐ Duplicate
(check, if applicable)

Assistant Commissioner for Patents

BOX PATENT APPLICATION

Washington, DC 20231

Attorney Docket No. 029474-5006

First Named Inventor: Ivano Romano

Express Mail Label No. EL 719362796 US

Total Pages of Transmittal Form: 2

J1046 U.S. PTO

09/927811

08/09/01

Transmitted herewith for filing is the non-provisional utility patent application entitled:

HEAT-INDUCTIBLE PROMOTER

which is:

an ☐ Original; or

a ☒ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP)

of prior Application No. PCT/EP00/01144 filed February 11, 2000.

Anticipated Group/Art Unit: _____ or Class _____, Subclass _____.

☒ This non-provisional patent application is based on Swiss Provisional Patent Application No. 1990 279/99, filed February 11, 1999.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 43 pages + 2 pp of substitute sheet claims.
- ☐ Application Data Sheet.
- ☒ Newly unexecuted Declaration (original/copy).
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ 13 sheets of drawings (formal) plus one copy.
- ☐ Microfiche computer program (Appendix).
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:
 - ☒ Computer readable copy ☒ Paper Copy ☒ Verified Statement.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignee: Rhein Biotech Gesellschaft für Neue Biotechnologische, Prozesse und Produkte GmbH.
- ☐ Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:
 - ☐ herewith or ☐ in prior application &@.
- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Preliminary Amendment.
- ☒ Information Disclosure Statement, PTO-1449, and cited references.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☒ Other: International Search Report

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$355			\$ 710.00	
Total	29-20 =	9	X 9	\$	OR	9X18	\$ 162.00
Independent	1 - 3 =	0	X40	\$	OR	X80	\$
[10] Multiple Dependent Claims Present			\$135	\$	OR	\$270	\$ 2,700.00
			TOTAL	\$	OR	TOTAL	\$ 3,572.00

- ☐ **The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.**
- ☒ A check in the amount of \$3,572.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310** as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☐ Filing fee in the amount of \$_____ as calculated above.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

August 10, 2001
Date

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KD/ars
Enclosures

**PATENT
BOX SEQUENCE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Patent Application of Ivano Romano	: Group Art Unit: Not Yet Assigned : : :
Appln. No.:	Not Yet Assigned	: Examiner: Not Yet Assigned : :
Filed:	Herewith	: : :
For:	Heat-Inducible Promoter	: Attorney Docket : No. 029474-5006

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825**

- (x) I hereby state, in accordance with the requirements of **37 C.F.R. §1.821(f)**, that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with **37 C.F.R. §1.821(c)** and **(e)**, respectively are the same.
- () I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(g)** does not include new matter.
- (x) I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.
- () I hereby state that the amendments, made in accordance with **37 C.F.R. §1.825(a)**, included in the initial/substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages &@. I hereby state that the substitute sheets(s) of the Sequence Listing does(do) not include new matter.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 C.F.R. §1.825(b)**, is the same as the amended Sequence Listing.

() I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), contains identical data to that originally filed.

Respectfully submitted,

Ivano Romano

August 10, 2001
(Date)

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